Trustees of the Freeholders and Commonalty of the **Town of Southampton** 116 Hampton Road

Southampton NY, 11968

http://www.southamptontownny.gov/trustees

Telephone: (631) 287-5717 Fax: (631) 287-5723



Edward J. Warner, Jr., Scott Horowitz, Secretary -**Eric Shultz** William Pell IV **Bruce A. Stafford**

President Treasurer

Regular Meeting of May 1, 2017 1:00 PM

Monday, May 1, 2017 1:00 PM **Town Hall - Town Board Room**

I. Call to Order

1:00 PM Meeting called to order on May 1, 2017 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, New York.

II. Pledge of Allegiance

III. Roll Call

Attendee Name	Present	Absent	Late	Arrived
President Edward J. Warner Jr.				
Secretary-Treasurer Scott M. Horowitz				
Trustee Eric Shultz				
Trustee William Pell IV				
Trustee Bruce A. Stafford				

IV. Next Trustee Meeting

Work Session: May 10, 2017 at 3:00 p.m. Regular Meeting: May 15, 2017 at 1:00 p.m.

V. Communications

A. Public Notices

U.S. Army Corps of Engineers

Availability of Public Notice re: Ten-Year Maintenance Dredging with Beach Placement

Applicant: Suffolk County DPW

North Sea Harbor of Little Peconic Bay Waterway:

Location: Dredge Location: North Sea Harbor Entrance into Little Peconic Bay

Dredge Material Placement: Little Peconic Bay Shoreline East and West of North Sea Harbor

Entrance into Little Peconic Bay

Suffolk County Dept. of Economic Development and Planning

Public Notices re: Request for Written Comments on Proposed Shellfish Aquaculture Lease Sites in Peconic and Gardiners Bays

B. Letters

Village of Quogue Police Department

Letter in Support from Police Chief Coughlan re: Dredging Project in Penniman Creek

Southampton Town Board

Town Board Resolution No. 2017-352 re: Authorize Town to Participate in EFC Clean Vessel Assistance Program to Support Trustees' 2017 Pump-Out Boat Program

Application of Galasso, 128 Redwood Road, Sag Harbor, New York

Letter from Timothy McCulley, Esq. re: acknowledge receipt of letter from N. Gibson

Seasonal Removal of Duck Blind at Davis Creek, Southampton, New York

Letter from Will Becker re: Seasonal Removal of Duck Blind at Davis Creek, Southampton

VI. Public Portion

VII. Applications for Permits

Board of Trustees hereby waive a public hearing on the following applications because it has been determined that the following projects do not raise a significant degree of public interest or public input is not needed to aid in the decision making process

Edward J. Warner Jr.

Trustees Resolution 2017-105

Category: General Misc

Sponsors: Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

Applicant: Nelson, Pope & Voorhis, 572 Walt Whitman Road, Melville, New York 11747

Application of Canal Properties LLC, West Side of North Road, +/-50 feet North of Montauk Highway, Hampton Bays, New York (SCTM Nos. 0900-207-4-22.1, 23, 24 and 25) Body of Water: Shinnecock Canal

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **CANAL PROPERTIES LLC** for shoreline stabilization in the form of a revetment which will replace the current rubble mount revetment located along the southern portion of the property; the improved stabilization is needed to protect the proposed residential development located on the landward portion of the property; the proposed revetment will be +/-330 feet in length and will require the placement of +/-600 cubic yards of 1-2 ton stone and +/-220 cubic yards of 3-6 inch stone as underlayment below SHW; the +/-1,440 cubic yards of the existing slope located below SHW will need to be removed for the installation of the revetment; a thirty (30) linear foot aluminum gangway is proposed to be replaced with the existing gangway which leads to the existing floating dock which is to remain; additionally, an upland scour area is proposed to be filled with clean material +/-35 cubic yards of which will be located below SHW; finally, piles in the existing marina on the north side of the site will be reconfigured to allow for twenty (20) boat slips of which ten (10) boat slips are existing; no other changes in the marina basin are proposed for the premises located on the **West Side of North Road, +/-50 feet**

North of Montauk Highway, Hampton Bays, New York (SCTM Nos. 0900-207-4-22.1, 23, 24 and 25); and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2017-TRUS-105						
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent	
 □ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended 	Edward J. Warner Jr.					
	Scott M. Horowitz					
	Eric Shultz					
	William Pell IV					
	Bruce A. Stafford					
□ Defeated						

Scott M. Horowitz

Trustees Resolution 2017-106

Category: Dock

Sponsors: Scott Horowitz

Department: Trustees of the Freeholders

Applicant: Surfside Environmental Planning, P.O. Box 2902, Southampton, New York

11969

Application of Jered Lynch, 32 Penniman Point, Quogue, New York (SCTM No. 0902-6-2-12.1) Body of Water: Penniman Creek

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **JERED LYNCH** for the construction of a 4' X 329' fixed dock with a set of 4' X 6' access stairs located at the landward end; the construction of a single handrail from the landward end to Mean High Water approximately 238'; approximately 225' of said dock will be at the height of 4.5' over the existing marsh vegetation with a 4' X 8' ramp extending from 4.5' to 30" above the edge of the marsh. The dock will then be elevated at 30" above the marsh vegetation from Mean High Water approximately 36' seaward where the remaining 61' of fixed dock will be elevated at 26" above Mean High Water leading to a 4' X 3' set of stairs for water access extending a maximum of 100' seaward of Mean High Water for the premises located at **32 Penniman Point, Quogue, New York (SCTM No. 0902-6-2-12.1)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

✓ Vote Record - Trustees 20	✓ Vote Record - Trustees 2017-TRUS-106					
☐ Adopted ☐ Tabled			Yes/Ave	No/Nay	Abstain	Absent
☐ No Action	Edward J. Warner Jr.					
□ Closed □ Reschedule □ Adjourned	Scott M. Horowitz					
	Eric Shultz					
☐ Acknowledged Signature	William Pell IV					
☐ Adopted as Amended☐ Defeated☐	Bruce A. Stafford					

Eric Shultz

Trustees Resolution 2017-98

Category: Catwalk **Sponsors:** Eric Shultz

Department: Trustees of the Freeholders

Applicant: Donald Jewell, Permit Development Service Corp., 87a Main Street,

Southampton, New York 11968

Amend Permit of The Dave Bofill Trust (No. 10970), 801 Montauk Highway, Quiogue, New York (SCTM No. 900-371-1-35.1) Body of Water: Quantuck Bay

History:

04/17/17 Trustees of the Freeholders TABLED Next: 05/01/17

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **THE DAVE BOFILL TRUST** to modify Permit No. 10970 for the construction of a 96' \times 4' seasonal catwalk, 12' \times 3' ramp, 4' \times 7'-6" stair, two (2) 3' \times 5'-3" stairs, two (2) 8" pilings, 6 \times 20' floating dock and all material to be untreated wood for the premises located at **801 Montauk Highway, Quiogue, New York (SCTM No. 0900-1-035.001)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

✓ Vote Record - Trustees 201	✓ Vote Record - Trustees 2017-TRUS-98					
☐ Adopted ☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent	
□ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended	Edward J. Warner Jr.					
	Scott M. Horowitz					
	Eric Shultz					
	William Pell IV					
	Bruce A. Stafford					
□ Defeated		<u> </u>				

Trustees Resolution 2017-107

Category: Catwalk **Sponsors:** Eric Shultz

Department: Trustees of the Freeholders

Applicant: En-Consultants, 1319 North Sea Road, Southampton, New York 11968

Application of Guy Rutherford, Jr., Adam Bergman, Clover Bergman and 1219 Noyac Road Inc., Kendall's Lane, Southampton, New York (SCTM No. 0900-42-3-49) Body of Water: Wooley Pond

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **GUY RUTHERFORD**, **JR.**, **ADAM BERGMAN**, **CLOVER BERGMAN AND 1219 NOYAC ROAD**, **INC.** for the construction of 2' X 4' steps; a 4' X 58' fixed elevated catwalk (open grate decking); a 3' X 22' hinged ramp; a 4' X 8' float; three (3) 6' x 20' floats; two (2) 4' X 12' finger floats; a 4' X 8' landing float and fifteen (15) six (6") inch locust pilings as depicted on the project plan prepared by En-Consultants dated October 2, 2013 for the premises located at **Kendall's Lane**, **Southampton**, **New York (SCTM No. 0900-42-3-49)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2017-TRUS-107					
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
□ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended	Edward J. Warner Jr.				
	Scott M. Horowitz				
	Eric Shultz				
	William Pell IV				
	Bruce A. Stafford				
□ Defeated					

Bruce A. Stafford

Trustees Resolution 2017-108

Category: Bulkhead

Sponsors: Bruce A. Stafford

Department: Trustees of the Freeholders

Applicant: En-Consultants, 1319 North Sea Road, Southampton, New York 11968

Application of 21 East Shore LLC, 21 East Shore Drive, Southampton, New York (SCTM No. 0900-31-1-42) Body of Water: Fresh Pond

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **21 EAST SHORE LLC** to reconstruct 111' of bulkhead using vinyl sheathing (raised 1' in elevation) and a 20' return on the north east side; backfill with +/-82 cubic yards of clean sand fill to be trucked in from an upland source; to construct a 4' X 15' catwalk supported by 4" X 4" posts; a 2.5' X 14' hinged ramp; a 6' X 20' float in an "L" formation secured by two (2) 6" piles; and to maintain a 10' native vegetation non-fertilization buffer landward of the bulkhead, all as depicted on the project plan prepared by En-Consultants dated April 21, 2017 for the premises located at **21 East Shore Drive, Southampton, New York (SCTM No. 0900-31-1-42)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 20:	✓ Vote Record - Trustees 2017-TRUS-108						
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent		
□ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended	Edward J. Warner Jr.						
	Scott M. Horowitz						
	Eric Shultz						
	William Pell IV						
	Bruce A. Stafford						
□ Defeated							

Trustees Resolution 2017-109

Category: Bulkhead

Sponsors: Bruce A. Stafford

Department: Trustees of the Freeholders

Applicant: En-Consultants, 1319 North Sea Road, Southampton, New York 11968

Application of 10 Cove Road LLC, 10 Cove Road, Sag Harbor (SCTM No. 0903-1-3-47.1) Body of Water: Upper Sag Harbor Cove (Cove Basin)

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **10 COVE ROAD LLC** to remove and replace 492 linear feet of existing timber bulkhead with vinyl sheathing in-place at the same elevation as existing bulkhead; to replace 40 linear feet of existing timber bulkhead landward of the existing bulkhead with a new bulkhead with vinyl sheathing in-place at the same elevation as existing bulkhead; on the east side of the basin, a 40' section to be cut at the mud-line after installation of the new bulkhead and backfill the bulkhead with 35 cubic yards of clean sand fill from an upland source, all as shown on the project plan prepared by En-Consultants dated March 9, 2017; and a minimum of 10' native vegetation non-fertilization buffer will be maintained landward of the bulkhead, all as shown on the re-vegetation plan prepared by Marshall Paetzel Landscape Architecture dated March 31, 2016 for the premises located at **10 Cove Road, Sag Harbor, New York (SCTM No. 0903-1-3-47.1)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2017-TRUS-109					
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action	Edward J. Warner Jr.				
☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature	Scott M. Horowitz				
	Eric Shultz				
	William Pell IV				
☐ Adopted as Amended☐ Defeated	Bruce A. Stafford				

Trustees Resolution 2017-110

Category: Dock

Sponsors: Bruce A. Stafford

Department: Trustees of the Freeholders

Applicant: The Raynor Group, P.E. & L.S. PPLC, P.O. Box 720, Water Mill, New York

11976

Application of the Village of Sag Harbor, Marine Facility-B Dock Improvements, West Water Street, Sag Harbor, New York (SCTM No. 0903-2-1-4) Body of Water: Sag Harbor Cove

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of the **VILLAGE OF SAG HARBOR** for the removal of 375 linear feet of the existing floating dock (2,290 square feet), the ninety-eight (98) existing timber piles, the existing electrical serve, water service and twenty-five (25) utility pedestals; to construct 372 linear feet of a new floating dock in-place; to install 102 timber piles and new water and electric services in-place; to install twenty-eight (28) new utility pedestals. The existing 4-feet wide by 20 feet long aluminum gangway shall be removed and re-installed in-place. The proposed timbers (piles, girders, caps, stringers and decking) shall be a variety of tropical hardwoods as specified and noted on the permit drawings prepared by The Raynor Group, P.E. & L.S. PLLC and dated November 7, 2016. No chemically treated wood or preservatives are proposed for the project located at the **Village of Sag Harbor Marine Facility B-Dock, West Water Street, Sag Harbor, New York (SCTM No. 0903-2-1-4)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

The fees for this project shall be waived.

√ Vote Record - Trustees 20	✓ Vote Record - Trustees 2017-TRUS-110					
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent	
□ No Action	Edward J. Warner Jr.					
☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature	Scott M. Horowitz					
	Eric Shultz					
	William Pell IV					
☐ Adopted as Amended☐ Defeated	Bruce A. Stafford					

Trustees Resolution 2017-111

Category: Bulkhead

Sponsors: Bruce A. Stafford

Department: Trustees of the Freeholders

Applicant: Costello Marine Contracting Corp., P.O. Box 2124, Greenport, New York

11944

Application of Susan and Daniel O'Connell, 73 Pine Neck Avenue, Sag Harbor, New York (SCTM No. 0900-5-1-5) Body of Water: Mill Creek

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **SUSAN AND DANIEL O'CONNELL** to remove the existing bulkhead and construct a new bulkhead in-like / in-kind; to construct 70 linear feet of a new bulkhead with a 16' return; the new bulkhead and bulkhead return will remain on the property; the existing residence will be partially demolished and the area where the concrete foundation abuts the bulkhead will be removed (approximately 40 linear feet). The bulkhead to be reconstructed straight across the property at the same elevation as the adjacent southern property (elevation 5.9') for the premises located at **73 Pine Neck Avenue, Sag Harbor, New York (SCTM No. 0900-5-1-5)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

✓ Vote Record - Trustees 2017	7-TRUS-111				
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action	Edward J. Warner Jr.				
☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature	Scott M. Horowitz				
	Eric Shultz				
	William Pell IV				
☐ Adopted as Amended☐ Defeated☐	Bruce A. Stafford				

VIII. Resolutions

Trustees Resolution 2017-112

Category: Budget & Finance Edward J. Warner, Jr.

Department: Trustees of the Freeholders

Warrant #8 of 2017 - Trustees

RESOLVED, per the recommendation and reviewed by the Town Comptroller, the following vendor payment warrant dated be approved in the amount of:

Warrant #8 \$49,068.12

AND, BE IT FURTHER RESOLVED, the Town Comptroller is directed to approve and execute all bank wire transfers required to fund payments associated with Warrant #8 of 2017.

√ Vote Record - Trustees 201	✓ Vote Record - Trustees 2017-TRUS-112					
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent	
☐ No Action	Edward J. Warner Jr.					
☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature ☐ Adopted as Amended	Scott M. Horowitz					
	Eric Shultz					
	William Pell IV					
	Bruce A. Stafford					
□ Defeated						

IX. Closing